

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANDRE WARE,

Petitioner,

v.

MARK CAPOZZA, et al.,

Respondents.

CIVIL ACTION
NO. 19-00705

ORDER

AND NOW, this 1st day of October 2020, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski, **IT IS ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Petitioner's Motion for Stay and Abeyance (ECF No. 30) is **GRANTED**;
3. The petition for writ of habeas corpus is **STAYED** and held in **ABEYANCE** while Petitioner litigates his PCRA petition in the state courts;
4. Petitioner shall notify the District Court within thirty days of the conclusion of the state court proceedings. At that time, Petitioner shall provide a written status report detailing the conclusion of his state court proceedings and include a copy of the relevant state court disposition. Petitioner shall inform the District Court whether the state court proceedings impacted his habeas petition in any way.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.